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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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FOREMOST INSURANCE COMPANY,

Plaintiff,

*versus*

DISH NETWORK CORP., *et al.*,

Defendant.

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CASE NO. 9:10-CV-32

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Plaintiff's Motion for Dismissal of Defendants Dish Network Corp. and Echostar Holding Corp. (#17) and Motion for Dismissal of Defendant Echostar Technologies, L.L.C. (#18) be granted and that the complaint be dismissed without prejudice. No written objections have been filed. The Court, therefore, adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Plaintiff's Motion for Dismissal of Defendants Dish Network Corp. and Echostar Holding Corp. (#17) and Motion for Dismissal of Defendant Echostar Technologies, L.L.C. (#18) are **GRANTED**.

SIGNED at Beaumont, Texas, this 13th day of December, 2010.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE